

MONTANA LEGISLATIVE HISTORY

Chapter 121 19 91

Bill H _____ S 22 Original bill & history ____C

H. Committee on Highways & Transp.

Hearing Date(s) Mar 25 ✓ C

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_____ C

Date Out Mar 05 ✓ C

S. Committee on Taxation

Hearing Date(s) Jan 11 ✓ C

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_____ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____

Report _____

SB 20

SENATE FINAL STATUS

1/16	TABLED IN COMMITTEE		
2/22	TAKEN FROM TABLE		
2/23	COMMITTEE REPORT—BILL PASSED		
2/25	2ND READING PASSED	28	19
2/26	3RD READING PASSED	28	22
TRANSMITTED TO HOUSE			
3/04	FIRST READING		
3/04	REFERRED TO AGRICULTURE, LIVESTOCK & IRRIG.		
3/19	HEARING		
3/20	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/05	2ND READING CONCURRED	72	27
4/06	3RD READING CONCURRED	72	24
RETURNED TO SENATE WITH AMENDMENTS			
4/09	2ND READING AMENDMENTS CONCURRED	45	0
4/10	3RD READING AMENDMENTS CONCURRED	50	0
4/17	SIGNED BY PRESIDENT		
4/18	SIGNED BY SPEAKER		
4/18	TRANSMITTED TO GOVERNOR		
4/22	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 518		

EFFECTIVE DATE: 7/01/91

SB 20 INTRODUCED BY SWIFT

CLARIFYING PERMISSIBLE LOCATIONS OF BRANCH BANKS

12/27	INTRODUCED		
12/28	REFERRED TO BUSINESS & INDUSTRY		
1/07	FIRST READING		
1/10	HEARING		
1/11	COMMITTEE REPORT—BILL PASSED		
1/14	2ND READING PASSED	48	0
1/15	3RD READING PASSED	50	0
TRANSMITTED TO HOUSE			
1/16	FIRST READING		
1/16	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
1/28	HEARING		
1/28	COMMITTEE REPORT—BILL CONCURRED		
1/30	2ND READING CONCURRED	96	3
1/31	3RD READING CONCURRED	95	1
RETURNED TO SENATE			
2/04	SIGNED BY PRESIDENT		
2/04	SIGNED BY SPEAKER		
2/04	TRANSMITTED TO GOVERNOR		
2/08	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 15		

EFFECTIVE DATE: 2/07/91

SB 21 INTRODUCED BY GAGE

 REQUIRE THAT THREE OF FIVE MEMBERS OF THE BOARD OF
 HORSERACING ARE RACEHORSE OWNERS, BREEDERS,
 OR OWNER-BREEDERS

12/27	INTRODUCED		
12/28	REFERRED TO BUSINESS & INDUSTRY		
1/07	FIRST READING		
1/16	HEARING		
1/22	COMMITTEE REPORT—BILL NOT PASSED AS AMENDED		
1/22	ADVERSE COMMITTEE REPORT ADOPTED	34	15

SB 22 INTRODUCED BY GAGE

ELIMINATE BOND FOR SPECIAL FUEL USERS

12/27	INTRODUCED		
12/28	REFERRED TO TAXATION		
1/07	FIRST READING		

SENATE FINAL STATUS

SB 25

1/11	HEARING		
1/11	COMMITTEE REPORT—BILL PASSED		
1/12	2ND READING PASSED	50	0
1/14	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
1/15	FIRST READING		
1/15	REFERRED TO HIGHWAYS & TRANSPORTATION		
3/05	HEARING		
3/06	COMMITTEE REPORT—BILL CONCURRED		
3/09	2ND READING CONCURRED	87	4
3/11	3RD READING CONCURRED	98	1
	RETURNED TO SENATE		
3/15	SIGNED BY PRESIDENT		
3/16	SIGNED BY SPEAKER		
3/16	TRANSMITTED TO GOVERNOR		
3/21	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 121		

EFFECTIVE DATE: 10/01/91

SB 23 INTRODUCED BY WILLIAMS
EMERGENCY DISPATCH ACCOUNTING RESPONSIBILITY

12/27	INTRODUCED
12/28	REFERRED TO STATE ADMINISTRATION
1/07	FIRST READING
1/09	HEARING
1/09	TABLED IN COMMITTEE

SB 24 INTRODUCED BY WILLIAMS
REQUIRE ADULT CHILD TO PAY BURIAL COSTS FOR INDIGENT PARENTS

12/27	INTRODUCED		
12/28	REFERRED TO JUDICIARY		
12/28	FISCAL NOTE REQUESTED		
1/07	FIRST READING		
1/07	FISCAL NOTE RECEIVED		
1/07	FISCAL NOTE PRINTED		
1/08	HEARING		
1/14	COMMITTEE REPORT—BILL PASSED AS AMENDED		
1/15	2ND READING PASSED	49	1
1/16	3RD READING PASSED	48	1
	TRANSMITTED TO HOUSE		
1/17	FIRST READING		
1/17	REFERRED TO HUMAN SERVICES & AGING		
1/21	HEARING		
1/23	TABLED IN COMMITTEE		

SB 25 INTRODUCED BY WILLIAMS
ALLOW COUNTY TREASURER TO DEPOSIT NONTAX REVENUE IN GENERAL FUND

12/27	INTRODUCED		
12/28	REFERRED TO LOCAL GOVERNMENT		
1/07	FIRST READING		
1/08	HEARING		
1/16	COMMITTEE REPORT—BILL PASSED		
1/17	2ND READING PASSED	50	0
1/18	3RD READING PASSED	45	0
	TRANSMITTED TO HOUSE		
1/19	FIRST READING		
1/19	REFERRED TO LOCAL GOVERNMENT		
3/05	HEARING		
3/06	COMMITTEE REPORT—BILL CONCURRED		
3/06	PLACED ON CONSENT CALENDAR		

HEARING ON SENATE BILL 18Presentation and Opening Statement by Sponsor:

Chairman Halligan said he felt SB 18 should have been assigned to the Natural Resources Committee. He asked Senator Gage to give a brief explanation of the bill and indicated he would then make a decision as to whether to request the bill be transferred.

Senator Gage, District 5, sponsor of the bill, said the Department of State Lands has developed a list of requirements for those who are successful bidders on oil and gas leases. The Oil and Gas Board has almost all the same requirements. Senator Gage said he has been trying to get the Department of State Lands to drop the duplicative requirements.

The Department of State Lands sued Conoco and the Oil and Gas Board this past year because they were unhappy with the percentage allocation from a unit that was being formed that included a parcel of state land. Conoco has since settled with the Department for \$20,000. The Department maintained in the suit that the Oil and Gas Board has no jurisdiction over oil and gas leasing on state lands based on the statute that says the Oil and Gas Board has authority over taxable lands. The Department maintains that state lands are not taxable in Montana.

Senator Gage indicated for the past two years there has been an effort to get primacy for the state from EPA with regard to injection in Montana. The EPA will grant primacy only if there is one agency responsible for oil and gas in the state. This provision is also addressed in the bill.

Chairman Halligan said this is obviously a jurisdictional issue between the Department of State Lands and the Oil and Gas Board. He suspended the hearing on SB 18 and will request it be transferred to the Natural Resources Committee on the floor.

HEARING ON SENATE BILL 22Presentation and Opening Statement by Sponsor:

Senator Gage, District 5, sponsor of the bill, said he has been contacted by many people in the agricultural sector during the interim who have expressed concern with the bonding requirements for bulk storage of special fuel. Senator Gage

Proponents' Testimony:

Ben Havdahl, Montana Motor Carriers Association, speaking in support of the bill, said 95% or more of the bulk storage users of special fuel pay their bills and submit their reports on time. The current bonding requirement simply creates unnecessary expense and record keeping. He said the provision in the bill requiring bonding for those who are delinquent is the most efficient way to deal with the bonding requirement.

Opponents' Testimony:

There were no opponents.

Questions From Committee Members:

Senator Harp asked Mr. Nichols if quarterly reports will still be required on dispensed fuel.

Mr. Nichols indicated those reports are still required.

Senator Harp asked how large a bond is required.

Mr. Nichols answered the bond is \$500 or a Certificate of Deposit may be filed with the Department of Revenue with the taxpayer receiving the interest from the CD.

Senator Towe asked if DOR has any concerns about the bill.

Mr. Nichols replied DOR has no problems with bill. He pointed out the state has entered the International Fuel Tax Agreement. The only bond required under the Agreement is a bond for bad bulk storage accounts.

Closing by Sponsor:

Senator Gage closed.

EXECUTIVE ACTION ON SENATE BILL 22

Motion:

Senator Towe moved Senate Bill 22 Do Pass.

Discussion:

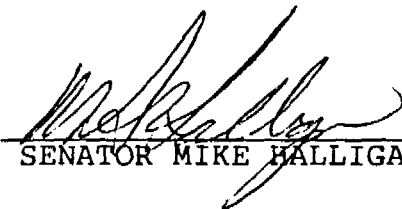
There was no discussion.

Recommendation and Vote:

Senator Towe's motion that SB 22 Do Pass carried unanimously.

ADJOURNMENT

Adjournment At: 9:10 a.m.



SENATOR MIKE HALLIGAN, Chairman



JILL D. ROZYANS, Secretary

MH/jdr

TAXATION

BILL NO.

SB 15
18

22

VISITOR'S REGISTER

[illegible]

ROLL CALL

SENATE TAXATION COMMITTEE

DATE 1/11/41

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SEN. HALLIGAN	X		
SEN. ECK	X		
SEN. BROWN			X
SEN. DOHERTY	X		
SEN. GAGE	X		
SEN. HARP	X		
SEN. KOEHNKE	X		
SEN. THAYER	X		
SEN. TOWE	X		
SEN. VAN VALKENBURG	X		
SEN. YELLOWTAIL	X		

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 11, 1991

MR. PRESIDENT:

We, your committee on Taxation having had under consideration Senate Bill No. 22 (first reading copy -- white), respectfully report that Senate Bill No. 22 do pass.

Signed: *[Signature]*
Mike Balligan, Chairman

[Signature] 1-11-91
App. Coord.

[Signature] 1-11-91
Sec. of Senate

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN BARRY STANG, on March 5, 1991, at
3:00 p.m.

ROLL CALL

Members Present:

Barry "Spook" Stang, Chairman (D)
Floyd "Bob" Gervais, Vice-Chairman (D)
Ernest Bergsagel (R)
Robert Clark (R)
Jane DeBruycker (D)
Alvin Ellis, Jr. (R)
Gary Feland (R)
Mike Foster (R)
Patrick Galvin (D)
Dick Knox (R)
Don Larson (D)
Scott McCulloch (D)
Jim Madison (D)
Linda Nelson (D)
Don Steppler (D)
Howard Toole (D)
Rolph Tunby (R)

Members Excused: REP. MIKE FOSTER

Staff Present: Valencia Lane, Legislative Council
Claudia Johnson, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

HEARING ON SB 22

Presentation and Opening Statement by Sponsor:

SEN. DELWYN GAGE, Senate District 5, Cut Bank, said this bill is a result of the agriculture people from his district. It deals with diesel fuel used in farm equipment. The farmers in his area said they do not have any problem paying the taxes, but cannot understand why they have to buy off a bond to guarantee payment of their taxes when they pay the taxes off on a current basis. This bill will strike the language that would require a person that has bulk storage fuel to file for a special bond. He has

HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE

March 5, 1991

Page 2 of 9

spoke with Norris Nichols, Department of Revenue, who indicated that there isn't a problem with the people that have bulk storage not paying their taxes. It does leave in the bill that if there is a problem with the people not paying their taxes on bulk storage or filing delinquent on their returns, the department can still require a bond on those people.

Proponents' Testimony:

Norris Nichols, Administrator, Motor Fuels Division, said this further than what SEN. GAGE indicated. He said that by delaying the bond authority, the International Fuel Tax Agreement (IFTA), does not require a bond of any person that has bulk storage. The Department of Revenue took the position if those persons based in the state under the IFTA program, will not be penalized if they have good accounts.

Ben Havdahl, Montana Motor Carriers Association, wanted to be recorded in support of SB 22. He said the members of the association are big users of diesel fuel in Montana. Under the current law that requires a bond for each of those taxpayers, the experience has been that 98% of them pay their taxes on time. The bond situation has never been entered in the picture of their business. The only people that profit from this are the bond salesmen.

Opponents' Testimony: None

Questions From Committee Members: None

Closing by Sponsor:

SEN. GAGE thanked the committee for a good hearing and urged their support of SB 22.

HEARING ON SB 95

Presentation and Opening Statement by Sponsor:

SEN. TOM BECK, Senate District 24, Deer Lodge, said this bill is an act to allow exemption of a police emergency response of safety education vehicle from the definition of commercial motor vehicles. The Highway Patrol has an information and educational vehicle that falls under the category of being over the weight limit to be classified as a commercial vehicle. This means they have to have certain licensed people to drive the vehicles.

Proponents' Testimony:

Jim Stotz, Montana Highway Patrol, said they have a safety education van that travels throughout the state. They have displays at the state fairs, county fairs and various other safety exhibits. He said the van reaches approximately 15,000

Proponents' Testimony:

John Northey, Legislative Auditor's Office, said this position was originally created under the federal law. The federal law requires as a condition that the states participating in federal highway funding, that the states enact a highway safety program under the administration of the Governor's office.

Albert Goke, Highway Traffic Safety, said he has served as the current administrator for the highway traffic safety program. He has been in that capacity since 1970. He urged the committee's support and said he was here to answer questions that the committee members may have.

Opponents' Testimony: None

Closing by Sponsor:

SEN. KEATING thanked the committee and urged their support.

EXECUTIVE ACTION ON SB 22

Motion: REP. STEPPLER MOVED SB 22 BE CONCURRED IN.

Motion/Vote: REP. FELAND called the question. Voice vote was taken.

Vote: SB 22 BE CONCURRED IN. Motion CARRIED unanimously.

EXECUTIVE ACTION ON SB 91

Motion: REP. CLARK MOVED SB 91 BE CONCURRED IN.

Motion/Vote: REP. FELAND called the question. Voice vote was taken.

Vote: SB 91 BE CONCURRED IN. Motion CARRIED 15 to 1 with REP. BERGSAGEL voting no.

EXECUTIVE ACTION ON SB 95

Motion: REP. STEPPLER MOVED SB 95 BE CONCURRED IN.

Motion/Vote: REP. BERGSAGEL called the question. Voice vote was taken.

Vote: SB 95 BE CONCURRED IN. Motion CARRIED 15 to 1 with REP. FELAND voting no.

HOUSE OF REPRESENTATIVES

HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL

DATE 3-5-91

NAME	PRESENT	ABSENT	EXCUSED
REP. FLOYD "BOB" GERVAIS, V.-CHAIR			
REP. ERNEST BERGSAGEL	✓		
REP. ROBERT CLARK	✓		
REP. JANE DEBRUYCKER	✓		
REP. ALVIN ELLIS, JR.	✓		
REP. GARY FELAND	✓		
REP. MIKE FOSTER			✓
REP. PATRICK GALVIN	✓		
REP. DICK KNOX	✓		
REP. DON LARSON	✓		
REP. SCOTT MCCULLOCH	✓		
REP. JIM MADISON	✓		
REP. LINDA NELSON	✓		
REP. DON STEPPLER	✓		
REP. HOWARD TOOLE	✓		
REP. ROLPH TUNBY	✓		
REP. BARRY "SPOOK" STANG, CHAIRMAN	✓		

HOUSE STANDING COMMITTEE REPORT

March 5, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 22 (third reading copy -- blue) be concurred in .

Signed: Barry Stang, Chairman

Carried by: Rep. Steppler

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Highways COMMITTEE BILL NO. SB 22
DATE 3-5 SPONSOR(S) Sen. Stange

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Ben Hardman	MMCA	X	
Norm Nichols	Dept of Hous.	X	
W. James Bell	MHP	X	
John			

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.